

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BONG H. CHAE,	)	
	)	
Petitioner,	)	8:09CV416
	)	
v.	)	
	)	
ROBERT HOUSTON, Director of	)	ORDER
Department of Correctional	)	
Services,	)	
	)	
Respondent.	)	
_____	)	

This matter is before the Court on respondent's motion to amend answer (Filing No. [29](#)), petitioner's objection to motion to amend (Filing No. [34](#)), and motion to strike reply brief (Filing No. [35](#)). In his motion, respondent requests leave to file his second amended answer and brief because his previous filings omitted a discussion of petitioner's eighth habeas claim (Filing No. [29](#)). Respondent's motion will be granted, and petitioner's objection and related motion to strike reply brief will be denied. Petitioner shall have 30 days in which to amend his response to respondent's answer if he so chooses. Petitioner is given leave to amend his pleadings only with respect to his Claim Eight. Accordingly,

IT IS ORDERED:

1. Respondent's motion to amend answer is granted. Petitioner's objection to motion to amend and motion to strike reply brief are denied.

2. Petitioner shall have until **September 30, 2010**, in which to file an amended response and/or brief on the merits of petitioner's Claim Eight only. In the event that no response and/or brief is filed by that date, the Court will consider the response and brief already on file with the Court.

3. Respondent's motion to strike index is denied.

DATED this 1st day of September, 2010.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court